

JS 44 (Rev 09/10)

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI****CIVIL COVER SHEET**

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Western District of Missouri.

The completed cover sheet must be saved as a pdf document and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s):**First Listed Plaintiff:**

Acting Secretary of Labor Edward C Hugler ;

County of Residence: Outside This District**Defendant(s):****First Listed Defendant:**

Broadway Diner, Inc., a Corporation ;

County of Residence: Boone County**Additional Defendants(s):**

David Johnson, an Individual ;

County Where Claim For Relief Arose: Boone County**Plaintiff's Attorney(s):**

Attorney Justin Hart Whitten (Edward Hugler)

United States Department of Labor, Office of the Solicitor

2300 Main St, Suite 1020

Kansas City, Missouri 64108

Phone: 816-285-7283**Fax:** 816-285-7287**Email:** whitten.justin.h@dol.gov**Defendant's Attorney(s):**

Attorney Skip Walther (Broadway Diner, Inc., a Corporation)

Walther, Antel, and Stamper

700 Cherry St. 2nd Floor

Columbia, Missouri 65201

Phone: 573-442-2454**Fax:** 573-874-3332**Email:** skip@wasf-law.com**Basis of Jurisdiction:** 1. U.S. Government Plaintiff**Citizenship of Principal Parties (Diversity Cases Only)****Plaintiff:** N/A**Defendant:** N/A**Origin:** 1. Original Proceeding**Nature of Suit:** 710 Fair Labor Standards Act

Cause of Action: Seeking recovery of unpaid minimum wages and overtime and an equal amount in liquidated damages, pursuant to Section 16(c) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. § 201 et seq.). Also seeking an injunction under Section 17 of the FLSA enjoining Defendants from violating the minimum wage and overtime requirements of the FLSA.

Requested in Complaint

Class Action: Not filed as a Class Action

Monetary Demand (in Thousands): \$54,453.56

Jury Demand: No

Related Cases: Is NOT a refiling of a previously dismissed action

Signature: Justin Whitten

Date: 03/21/2017

If any of this information is incorrect, please close this window and go back to the Civil Cover Sheet Input form to make the correction and generate the updated JS44. Once corrected, print this form, sign and date it, and submit it with your new civil action.